

**35829**

**TO:** Board of Acquisition and Contract

**FROM:** Jay T. Pisco, P.E.  
Commissioner of Public Works and Transportation

**DATE:** September 5, 2013

**SUBJECT:** Authority to modify Resolution number 34554 to enter into an Agreement with the United States of America, acting by and through the Federal Aviation Administration (“FAA”), to accept a grant for Capital Project Number A054A – Rehabilitation of Various Taxiways at the Westchester County Airport

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On July 11, 2013, your Honorable Board approved a Resolution to allow the County of Westchester (the “County”) to enter into an Agreement with the United States of America, acting by and through the FAA, to accept a grant of approximately \$3,260,892.00 for Capital Project Number A054A – Rehabilitation of Various Taxiways at the Westchester County Airport. This grant will be used to fund the construction of the rehabilitation of Taxiway “A” at the Westchester County Airport. The grant agreement has not yet been executed.

Bids for this project were received at a higher amount than was expected. The FAA has approved the revised amounts. Authority is therefore requested to modify Resolution 34554 to reflect the higher total cost of the construction of the rehabilitation of Taxiway “A.” Authority is thus requested to enter into an Agreement with the United States of America, acting by and through the FAA, to accept a grant of up to approximately \$5,390,570.00. The County will have to contribute a local share of up to approximately \$598,952.00 from the Airport Special Revenue Fund.

This Agreement will serve a public purpose by funding improvements to Taxiway “A” that will ensure continued compliance with safety, security, and environmental goals and objectives.

The objective of this Agreement is to accept federal funding for a capital project that directly improves the safety, security and environmental protection of County residents and Airport users. This is a project the County and its Airport would be responsible to fund directly were it not for the availability of federal grant funds. Acceptance of these funds will relieve the County and the Airport of substantial fiscal responsibility.

The County’s Department of Public Works and Transportation will monitor and report the progress of this project using its own staff and staff from other County departments as appropriate, and will be responsible to invoice the FAA for timely reimbursement as the costs are incurred.

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the “Grant Terms”), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Accordingly, I recommend your Honorable Board’s approval of the annexed Resolution authorizing the County to enter into this grant agreement with the FAA.

# RESOLUTION

Upon communication from the Commissioner of Public Works and Transportation, be it:

RESOLVED, that Resolution number 34554 approved on July 11, 2013, be amended to authorize the County of Westchester (the "County"), acting by and through the Department of Public Works and Transportation, to enter into an agreement with the United States of America, acting by and through the Federal Aviation Administration ("FAA"), to accept a grant of up to approximately \$5,390,570.00 for Capital Project Number A054A – Rehabilitation of Various Taxiways at the Westchester County Airport. This grant will be used to fund the construction of the rehabilitation of Taxiway "A" at the Westchester County Airport; and be it further

RESOLVED, that the Agreement will provide, *inter alia*, that the County will contribute a local share of up to approximately \$598,952.00 toward the cost of the construction of the rehabilitation of Taxiway "A" at the Westchester County Airport, which funding will come from the Airport Special Revenue Fund; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

JTP/PC/JK

Account to be Charged/Credited	Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub Object	Trust Account	Dollars
	361	44	A054A03C	9633		\$ 5,390,570.00
	361	44	A054A03C	9635		\$ 598,952.00

Budget Funding Year(s): 2013 Start Date: N/A End Date: N/A  
 (must match resolution)

Funding Source: Tax Dollars: \_\_\_\_\_ Contractor Federal I.D. No./  
 State Aid: \_\_\_\_\_ Social Security No.: \_\_\_\_\_  
\$5,989,522.00 Federal Aid: \$5,390,570.00 (FAA) Vendor No.: \_\_\_\_\_  
 (must match resolution) Other: \$ 598,952.00 (Airport Special Revenue Fund) Encumbrance No.: \_\_\_\_\_